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U.S. Department of Commerce No FEAR Act EEO Complaint Data National Institute of Standards & Technologies (NIST)

This is an interim report of No FEAR ACT data. The report will be revised upon publication of a final rule by the Equal Employment Opportunity Commission (EEOC).

- [Interim EEOC Rule](#)
- [Information on the No FEAR Act](#)
- [No Fear Act Data on the EEOC website \(includes information on EEOC Hearing and Appeals processing\)](#)

Data last updated: October 30, 2004.

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1. Number of Complaints

	FY 2006 2nd Q	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complaints Pending at the Beginning of the FY	17	20	28	n/a	n/a	n/a	n/a	n/a
Number of complaints Filed in the FY	7	5	8	11	16	10	7	20
Number of complaints Closed in the FY	19*	8	4	11	10	11	23	20
Number of complaints Pending any time in the FY	24	25	36	n/a	n/a	n/a	n/a	n/a

*includes database cleanup of cases designated as "closeable"

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2. Number of Complainants

	FY 2006 2nd Q	Fy 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complainants who had a complaint pending	17	20	28	n/a	n/a	n/a	n/a	n/a
Number of complainants who filed a complaint	7	5	8	11	15	10	7	14
Number of complainants who filed 2 or more complaints	0	0	0	0	1	0	0	4

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3. Bases of Complaints

	FY 2006 2nd Q	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Race	3	0	1	3	7	5	3	3
Color	1	2	0	1	2	2	2	1
Religion	0	0	0	0	2	1	2	3
National Origin	1	2	3	1	1	3	1	7
Sex	2	1	1	3	2	3	3	7
Disability	2	0	1	2	4	2	1	6
Age	2	3	7	2	7	5	1	12
Reprisal	2	1	5	5	8	1	3	10
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	2	0	0	0	0	0
TOTALS	13	9	20	17	33	22	16	49

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4 . Issues in Complaints

	FY 2006 2nd Q	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Appointment/ Hire	0	0	0	0	1	1	0	4
Assignment of Duties	2	3	1	0	3	2	1	2
Awards	0	0	1	0	1	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0

Discipline: Reprimand	0	0	1	0	1	1	0	1
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	1	0	1	0
Discipline: Other	0	0	0	0	1	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/ Appraisal	0	2	2	0	3	3	3	6
Examination/ Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	2	2	3	3	0	0	2	6
Harassment: Sexual	0	0	0	1	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	1	0	0	0	2	1	1	3
Reassignment: Requested	0	0	0	0	0	0	0	1
Reassignment: Directed	0	0	0	0	0	0	1	1
Reasonable Accommodation	0	0	1	1	2	1	1	5
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	1	0	1	0	0	0
Termination	3	1	2	2	2	0	1	1
Terms/ Conditions of Employment	1	3	1	1	0	0	1	0
Time and Attendance	1	0	0	1	0	0	1	0
Training	0	0	0	0	0	0	0	2
Other	0	0	2	2	0	1	0	5
TOTALS	10	11	15	11	18	10	12	37

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5. Complaints Pending by Status

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Investigation	3	4	13	n/a	n/a	n/a	n/a	n/a

Hearing	2	1	1	n/a	n/a	n/a	n/a	n/a
Final Agency Action	5	11	6	n/a	n/a	n/a	n/a	n/a
Appeal	2	0	0	n/a	n/a	n/a	n/a	n/a
Accept/Dismiss	3	0	3	n/a	n/a	n/a	n/a	n/a
TOTALS	15	16	23	n/a	n/a	n/a	n/a	n/a

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6. Average Days Processing Time of Pending Complaints from Date Formal Complaint Filed

	FY 2006 2nd Q
Investigation: Hearing Requested	0
Investigation: No Hearing	207* * includes one case amended at least once
Final Agency Action: With Hearing	0
Final Agency Action: Without Hearing	820

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7. Investigations Pending Over 180 Days

	FY 2006 2nd Q	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Investigations Pending over 180 days	1	1	7	n/a	n/a	n/a	n/a	n/a

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8. Complaints Dismissed

	FY 2006 2nd Q	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Complaints Dismissed		1	0	7	3	1	3	5
Average Days Pending Prior to Dismissal		437*	0	145	45	53	174	240

* FY 2005 complaint dismissed at hearing

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9. Findings of Discrimination as a Percentage of Total Complaints Pending Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Findings of Discrimination With Hearing	0	0	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	0	0

TOTALS	0	0	0	0	0	0	0
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9. Findings of Discrimination as a Percentage of Total Complaints Pending 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Findings of Discrimination With Hearing	0	0	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

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10. Findings of Discrimination By Basis: Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

10. Findings of Discrimination By Basis 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0

Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

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	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0

TOTALS	0	0	0	0	0	0	0	0
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11 . Findings of Discrimination by Issue 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

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Notes about the data:

1. Data for dismissals includes complaints dismissed prior to investigation and complaints dismissed in later proceedings.

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